

Freedom of Information Act 2000

Definition document for health bodies in Northern Ireland (the Health and Social Care Board, Health and Social Care trusts and other health and social care organisations)

This guidance is written for health bodies in Northern Ireland. It gives examples of the kinds of information that the ICO expects you to provide in order to meet your commitments under the model publication scheme.

The ICO expects you to make the information in this definition document available unless:

- you do not hold the information;
- the information is exempt under one of the Freedom of Information Act 2000 (FOIA) exemptions or Environmental Information Regulations 2004 (EIR) exceptions, or its release is prohibited under another statute (eg UK General Data Protection Regulation);
- the information is readily and publicly available from an external website. Such information may have been provided either by you or on your behalf. You must provide a direct link to that information;
- the information is archived, out of date or otherwise inaccessible; or
- it would be impractical or resource-intensive to prepare the material for routine release.

If the information is held by another public authority, you should provide details of where to obtain it.

This guidance is not meant to give an exhaustive or definitive list of everything that should be covered by a publication scheme. The legal commitment is to the model publication scheme, and you should look to provide as much information as possible on a routine basis, which must include all information that is required by statute.

It is recognised that this document covers a wide range of organisations which carry out different functions. However, the headings used should be

relevant to the information you hold.

Publishing datasets for re-use

As a public authority, you must publish under your publication scheme any dataset you hold that has been requested, together with any updated versions, unless you are satisfied that it is not appropriate to do so. So far as reasonably practicable, you must publish it in an electronic form that is capable of re-use.

If the dataset or any part of it is a relevant copyright work and you are the only owner, you must make it available for re-use under the terms of a specified licence. Datasets in which the Crown owns the copyright or the database rights are not relevant copyright works.

The [2018 Section 45 Code of Practice](#) recommends that public authorities make datasets available for re-use under the [Open Government Licence](#).

The term “dataset” is defined in section 11(5) of FOIA. The terms “relevant copyright work” and “specified licence” are defined in section 19(8) of FOIA. The ICO has published guidance on [Datasets \(sections 11, 19 and 45\)](#). This explains what is meant by “not appropriate” and “capable of re-use”.

Model publication scheme

The table below identifies the specific information the ICO expects you to publish under each of the seven classes of information set out in the [model publication scheme](#).

Class 1 - Who we are and what we do

Organisational information, structures, locations and contacts.

Information in this class should only be current information, unless stated otherwise.

- **How we fit into the health and social care structure**

Given the nature of health and social care services in Northern Ireland, provide information that explains how you fit into either the local or wider Northern Ireland health and social care structure, or both. Provide outline and detailed information about your role and responsibilities.

- **Organisational structure**

Corporate governance information including details of board members and other key personnel. This will also include an explanation of your internal structure and how the structure relates to roles and responsibilities. For the Health and Social Care Board and the Health and Social Care trusts, this will also include details of the role and members of the local commissioning groups (LCGs).

- **Workforce diversity**

Publish details of the composition of your workforce. Publish this data at least annually.

- **Lists of and information relating to key organisations you work in partnership with**

Information need be only sufficient for the purposes of identifying the relationship between these bodies and you.

- **Meetings with pharmaceutical companies and other medical suppliers**

As a minimum this information should include the name of the company, the date and, if appropriate, the name of the member(s) of staff attending (if recorded), together with a general indication of the category of meeting, for example marketing or promotion. The names of staff attending should include any senior managers and any medically qualified staff if this information is recorded.

- **Senior staff and board members**

Identification of, responsibilities of and biographical details of those making strategic and operational decisions about the provision of the authority's services.

- **Location and contact details**

Provide your postal and email address. If possible, provide named contacts including contact phone numbers and email addresses.

Class 2 - What we spend and how we spend it

Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit.

As a minimum, make financial information available for the current and previous financial year. Provide this information not only for the authority as a whole but also, where appropriate, for directorates or departments as cost units.

- **Financial statements, budgets, and variance reports**

In conjunction with annual accounts, provide financial information in sufficient detail to allow the public to see where you are spending money or planning to spend it and the difference between the two.

Publish financial information at least annually and, where practical, provide half-yearly or quarterly financial reports. Include budgets for capital expenditure.

Provide details of items of expenditure over £30,000, including costs, supplier and transaction information (monthly).

- **Financial audit reports**

- **Capital programme**

Make information available on major plans for capital expenditure including any public-private partnership contracts.

- **Scheme of delegation**

- **Allowances and expenses of senior staff, executive directors and members of the management board**

Provide details of the allowances and expenses that can be incurred or claimed. Include the total of the allowances and expenses paid to individual senior staff and management board and directors by reference to categories. Produce these categories in line with your policies, practices and procedures and include at least travel, subsistence and accommodation.

- **Staff pay and grading structures**

You can provide this as part of your organisational structure. As a minimum, include details of senior staff salaries in bands of £5,000. For all other posts, identify levels of pay by salary bands.

The “pay multiple” – the ratio between the highest paid salary and the median average salary of the whole of the authority’s workforce.

- **Funding (including endowment funds)**

- **Procurement and tendering procedures**

Provide details of procedures used for the acquisition of goods and services.

- **Details of contracts currently being tendered**

- **List and value of contracts awarded**

Publish details of contracts and invitations to tender worth over £30,000, or provide a link to this information via the Procurement and Logistics Service where appropriate.

Class 3 - What our priorities are and how we are doing

Strategies and plans, performance indicators, audits, inspections and reviews.

- **Annual report**

- **Annual business plan**

- **Annual commissioning plan (drafts and final versions)**

- **Annual LCG commissioning plans (drafts and final versions)**

- **Targets, aims and objectives**

- **Strategic direction document (five-year plan)**

- **Performance framework and performance management information or data, including KPIs**

- **Clinical governance**
- **Controls assurance standards**
- **The Regulation and Quality Improvement Authority annual check**
- **Audit reports**
- **Quality reports**
- **Service user surveys**
- **Data protection impact assessments (in full or summary format) or any other impact assessments (eg health and safety impact assessments), as appropriate and relevant**
- **Annual progress report to Equality Commission for NI**
- **HSC Trust disability action plans**
- **HSC Trust equality schemes and action plans**

Class 4 - How we make decisions

Decision-making processes and records of decisions.

Make information in this class available for at least the current and previous three years.

- **Board papers – agenda, supporting papers and minutes**

Make readily available to the public, management board minutes and the minutes of similar meetings where decisions are made about the provision of services. Exclude material that is properly considered exempt from disclosure.

- **HSC Trusts Patient and Public Involvement strategy and action plans engagement strategy**
- **EQIAs and public consultations (for example, concerning closures or variations of services)**

Provide details of consultation exercises and access to the consultation

papers or information about where to obtain the papers. The results of consultation exercises.

- **HSC Trust quarterly screening reports**
- **HSC Trust annual progress report to the Equality Commission for Northern Ireland**
- **Rural needs impact assessments (RNIAs)**
- **Annual Rural Needs Act monitoring reports**
- **Serious adverse incident (SAI) learning reports**
- **Internal communications guidance and criteria used for decision making, ie process systems and key personnel**

Make readily available internal instructions, manuals and guidelines for dealing with your business where access to this information would assist public understanding of the way decisions are made. This does not include disclosing information that might damage your operation.

Class 5 - Our policies and procedures

Current written protocols, policies and procedures for delivering our services and responsibilities.

- **Policies and procedures relating to the conduct of business and the provision of services**

Include procedures for handling requests for information.

- **Health and safety**
- **Policies and procedures relating to human resources, including recruitment and employment policies**

Make readily available details of current vacancies, if vacancies are advertised as part of recruitment policies.

- **Equality and diversity policies**
- **Equality scheme produced in accordance with section 75 and Schedule 9 of the Northern Ireland Act 1998**

Include codes of practice, memoranda of understanding and similar information. A number of policies, for example equality and diversity and health and safety, will cover both the provision of services and the employment of staff. In addition to the equality scheme or statement produced in accordance with Section 75 and Schedule 9 of the Northern Ireland Act 1998, provide the results of assessments, consultation and monitoring of compliance with your duties under equality legislation.

- **Personal and Public Involvement (PPI) strategy and plan of action**
- **HSC Trusts disability action plans**
- **HSC Trusts equality scheme and action plans**
- **Equality impact assessments**
- **SAI procedures**
- **Estate management or facilities policy**
- **Standing financial instructions or procedures**
- **Standing orders**
- **Individual funding request (IFR) regional scrutiny committee standard operating procedure**
- **Customer service and complaints policies and procedures**

Include standards for providing services to your customers, including complaint procedures. Include those complaints procedures covering requests for information and operating the publication scheme.

- **Data protection, information governance, personal data guardian ("Caldicott" Guardian)**

This will include information on security policies, high level file plans, records retention, destruction and archive policies, data protection (including data sharing and CCTV usage) and patient confidentiality policies.

- **Charging regimes and policies**

Provide details of any statutory charging regimes. Charging policies

should include charges made for information you routinely publish. They should clearly state what costs you are recovering, the basis on which you make them and how you calculate them.

If you charge a fee for licensing the re-use of datasets, you should state in your guide to information how you calculate this and whether you make the charge under the Re-use Fees Regulations or under other legislation. You cannot charge a fee if you make a dataset available for re-use under the Open Government Licence.

Class 6 - List and registers

Information in this class should only be information in currently maintained lists and registers.

- **Any information you are currently legally required to hold in publicly available registers**
- **List of main contractors or suppliers**
- **Asset registers**

You do not have to publish all details from all asset registers. However, include the location of public land and building assets and key attribute information that you normally record on an asset register, along with some other information from capital asset registers. If you have prepared an information asset register for the Re-use of Public Sector Information Regulations 2015, publish the contents.

- **CCTV**

Details of the locations of any overt CCTV surveillance cameras operated by you or on your behalf. You should decide on the level of detail which is appropriate. This could be by building or more general geographic locations, eg postcodes or partial postcodes, depending on the security issues raised.

- **Any register of interests kept in the authority**
- **Register of gifts and hospitality provided to board members and senior personnel**
- **Disclosure log**

Where a disclosure log is produced indicating the information that has been provided in response to FOI and EIR requests, make it readily available. Disclosure logs themselves are recommended as good practice.

Class 7 - The services we offer

Information about the services we offer, including leaflets, guidance and newsletters.

Generally, this is an extension of part of the first class of information. While the first class provides information on roles and responsibilities, this class will detail the services you provide as a result of them. In general, start with a list or lists of the services that fall within your responsibility, linked to details of those services.

- **Clinical services either provided or commissioned, or both**
- **Non-clinical services**
- **Services for which the authority is entitled to recover a fee together with those fees**
- **Patient information leaflets and other booklets and newsletters**
- **Patient advice and liaison service (PALS)**
- **Advice and guidance**
- **Corporate communications and media releases**